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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,512	01/16/2002	Hiroshi Hamasaka	2002_0034A	3478

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EXAMINER	
TEKLE, DANIEL T	
ART UNIT	PAPER NUMBER
2633	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,512	HAMASAKA ET AL.	
	Examiner	Art Unit	
	Daniel Tekle	2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on *16 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 08/30/05, 06/20/03, 05/13/02, 04/25/02.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al. (US 6266483).

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding Claim 1: the claim drawn to a data recording apparatus comprising a **receiver** unit that receives a stream of encoded digital data; an **analyzer** that detects a change in an attribute of the stream received by the receiver unit and that outputs detection information; a **controller** that generates management information containing the detection information output by the analyzer and time information indicating detection time of the change as a first entry point; a **driver** that records the

management information generated by the controller and the stream received by the receiving unit to a data storage medium; and an input unit that defines a second entry point which is set relative to a playback path of the stream and is used access and read from a particular point in the stream, controller further generating the management information containing the first entry point and the second entry point respectively identified.

Okada teaches a data recording apparatus comprising a **receiver** unit that receives a stream of encoded digital data; an **analyzer** that detects a change in an attribute of the stream received by the receiver unit and that outputs detection information; a **controller** that generates management information containing the detection information output by the analyzer and time information indicating detection time of the change as a first entry point; a **driver** that records the management information generated by the controller and the stream received by the receiving unit to a data storage medium; and an input unit that defines a second entry point which is set relative to a playback path of the stream and is used access and read from a particular point in the stream, controller further generating the management information containing the first entry point and the second entry point respectively identified **(column 17 line 16-67, column 14 line 63-67 and column 15 line 1-5).**

Regarding claim 2: the claim drawn to a data recoding apparatus according claim 1, a controller generates the management information including a first table containing the first entry point and second table containing the second entry point.

Okada teaches a controller that generates the management information including a first table containing the first entry point and second table containing the second entry point **(column 17 line 16-67, column 14 line 63-67 and column 15 line 1-5).**

Regarding claim 3 and 8: The claims drawn to a data recording apparatus according to claim 1, where a controller generates the management information including separate identification flags for the first entry point and the second entry point; and the data storage medium is an optical disc.

Okada teaches where a controller generates the management information including separate identification flags for the first entry point and the second entry point **(Column 17 line 16-67, column 14 line 63-67 and column 15 line 1-5)**; and the data storage medium is an optical disc **(abstract).**

Regarding claim 4-5: the claims drawn to a data recording apparatus according to claim 2, wherein the analyzer detects at least one of the following as the change in the attribute of the stream; a change in a broadcast program when the stream is a digital broadcast stream, a change of PSI/SI information in digital broadcast stream that controls playback of the stream, a change in a multi-view attribute, a change back to a starting point of a data carousel, a change in content of the data carousel, a change in program map table PMT, a module change, a change of data event, a change of parental control information, a change in an audio stream attribute, and a change in

sequence header information when the stream is a digital broadcast MPEG video stream. Farther the management information contains link information to AV data recorded on the data storage medium for the first entry point and the second entry point.

Okada teaches a data recording apparatus according to claim 2, wherein the analyzer detects *at least one* of the following as the change in the attribute of the stream; a change in a broadcast program when the stream is a digital broadcast stream, a change of PSI/SI information in digital broadcast stream that controls playback of the stream, a change in a multi-view attribute, a change back to a starting point of a data carousel, a change in content of the data carousel, a change in program map table PMT, *a module change*, *a change of data event*, a change of parental control information, a change in an audio stream attribute, and a change in sequence header information when the stream is a digital broadcast MPEG video stream. Farther the management information contains link information to AV data recorded on the data storage medium for the first entry point and the second entry point **(column 14 lines 63-67 and column 15 lines 1-4).**

Regarding claim 6: The claim drawn to a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recorded on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, in the case the second entry point is input from the input unit, the reading unit reading the management information, and

the output unit displaying the first entry point contained in the first table and the second entry point previously input and contained in the second table of the management information.

Okada teaches a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recorded on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, in the case the second entry point is input from the input unit, the reading unit reading the management information, and the output unit displaying the first entry point contained in the first table and the second entry point previously input and contained in the second table of the management information **(column 18 line 11-55, column 14 line 63-67 and column 15 line 1-5).**

Regarding claim 7: the claim drawn to a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recording on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, the reading unit reading the management information, and the output unit displaying the second entry point contained in the second table of the management information.

Okada teaches a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recording on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, the reading unit reading the management information, and the output unit displaying the second entry point contained in the second table of the management information**(column 18 line 11-55, column 14 line 63-67 and column 15 line 1-5).**

Regarding claim 9-11: The claims drawn to a data recording method comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information and the receiver stream to a data storage medium; and defining a secondary entry point which is set to the relative to the play back path of the stream and used to access and read from the particular point in the stream, generating further generating the management information containing the first entry point and second entry point separately identified. Further management information includes a first table and identification flags for the first entry and second table and identification flag for the second entry point respectively.

Okada a data recording method comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information and the receiver

stream to a data storage medium; and defining a secondary entry point which is set to the relative to the play back path of the stream and used to access and read from the particular point in the stream, generating further generating the management information containing the first entry point and second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table and identification flag for the second entry point respectively **(Column 17 line 16-67, column 14 line 63-67 and column 15 line 1-5).**

Regarding claims 12-15: the claims drawn to a computer-excitable, data recording program comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information indicating detection time of the change as a first entry point; recording the generated management information and the received stream to a data storage medium; and defining a second entry point which is set relative to playback path of the stream and is used to access and read from a particular point in the stream, generating further generating the management information containing the first entry point and the second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table and identification flag for the second entry point respectively.

Okada teaches a computer-excitable, data recording program comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating

management information indicating detection time of the change as a first entry point; recording the generated management information and the received stream to a data storage medium; and defining a second entry point which is set relative to playback path of the stream and is used to access and read from a particular point in the stream, generating further generating the management information containing the first entry point and the second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table and identification flag for the second entry point respectively **(column 17 line 16-67, column 14 line 63-67 and column 15 line 1-5).**

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-15 rejected under 35 U.S.C. 102(b) as being anticipated by Tsuga et al. (US 5691972).

Regarding Claim 1: the claim drawn to a data recording apparatus comprising a **receiver** unit that receives a stream of encoded digital data; an **analyzer** that detects a change in an attribute of the stream received by the receiver unit and that outputs detection information; a **controller** that generates management information containing the detection information output by the analyzer and time information indicating detection time of the change as a first entry point; a **driver** that records the management information generated by the controller and the stream received by the receiving unit to a data storage medium; and an input unit that defines a second entry point which is set relative to a playback path of the stream and is used access and read from a particular point in the stream, controller further generating the management information containing the first entry point and the second entry point respectively identified.

Tsuga teaches a data recording apparatus comprising a **receiver** unit that receives a stream of encoded digital data; an **analyzer** that detects a change in an

attribute of the stream received by the receiver unit and that outputs detection information; a **controller** that generates management information containing the detection information output by the analyzer and time information indicating detection time of the change as a first entry point; a **driver** that records the management information generated by the controller and the stream received by the receiving unit to a data storage medium; and an input unit that defines a second entry point which is set relative to a playback path of the stream and is used access and read from a particular point in the stream, controller further generating the management information containing the first entry point and the second entry point respectively identified **(column 20 line 12-38).**

Regarding claim 2: The claim drawn to a data recoding apparatus according claim 1, a controller generates the management information including a first table containing the first entry point and second table containing the second entry point.

Tsuga teaches a controller that generates the management information including a first table containing the first entry point and second table containing the second entry point **(column 20 lines 12-38).**

Regarding claim 3 and 8: the claims drawn to a data recording apparatus according to claim 1, where a controller generates the management information including separate identification flags for the first entry point and the second entry point; wherein the data storage medium is an optical disc.

Tsuga teaches a data recording apparatus according to claim 1,where a controller generates the management information including separate identification flags for the first entry point and the second entry point **(column 19 lines 55-67 and column 20 line 1-10);** wherein the data storage medium is an optical disc **(Column 8 lines 19-23).**

Regarding claim 4-5: The claims drawn to a data recording apparatus according to claim 2, wherein the analyzer detects *at least one* of the following as the change in the attribute of the stream; a change in a broadcast program when the stream is a digital broadcast stream, a change of PSI/SI information in digital broadcast stream that controls playback of the stream, a change in a multi-view attribute, a change back to a starting point of a data carousel, a change in content of the data carousel, a change in program map table PMT, a module change, a change of data event, a change of parental control information, a change in an audio stream attribute, and a change in sequence header information when the stream is a digital broadcast MPEG video stream. Farther the management information contains link information t AV data recorded on the data storage medium for the first entry point and the second entry point.

Tsuga teaches a data recording apparatus according to claim 2, wherein the analyzer detects *at least one* of the following as the change in the attribute of the stream; a change in a broadcast program when the stream is a digital broadcast stream, a change of PSI/SI information in digital broadcast stream that controls playback of the

stream, a change in a multi-view attribute, a change back to a starting point of a data carousel, a change in content of the data carousel, a change in program map table PMT, a module change, a change of data event, a change of parental control information, a change in an audio stream attribute, and a change in sequence header information when the stream is a digital broadcast MPEG video stream. Farther the management information contains link information t AV data recorded on the data storage medium for the first entry point and the second entry point **(column 19 lines 55-67 and column 20 lines 1-10).**

Regarding claim 6: The claim drawn to a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recorded on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, in the case the second entry point is input from the input unit, the reading unit reading the management information, and the output unit displaying the first entry point contained in the first table and the second entry point previously input and contained in the second table of the management information.

Tsuga teaches a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recorded on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the

stream decoded by the decoder, in the case the second entry point is input from the input unit, the reading unit reading the management information, and the output unit displaying the first entry point contained in the first table and the second entry point previously input and contained in the second table of the management information **(column 20 lines 14-67).**

Regarding claim 7:The claim drawn to a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recording on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, the reading unit reading the management information, and the output unit displaying the second entry point contained in the second table of the management information.

Tsuga teaches a data recording apparatus according to claim 2, further a reading unit that reads the management information and the stream recording on the data storage medium; a decoder that decodes the stream read by the reading unit; and an output unit that outputs the management information read by the reading unit and the stream decoded by the decoder, the reading unit reading the management information, and the output unit displaying the second entry point contained in the second table of the management information **(column 20 lines 14-67).**

Regarding claim 9-11: The claims drawn to a data recording method comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information and the receiver stream to a data storage medium; and defining a secondary entry point which is set to the relative to the play back path of the stream and used to access and read from the particular point in the stream, generating further generating the management information containing the first entry point and second entry point separately identified. Further management information includes a first table and identification flags for the first entry and second table and identification flag for the second entry point respectively.

Tsuga a data recording method comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information and the receiver stream to a data storage medium; and defining a secondary entry point which is set to the relative to the play back path of the stream and used to access and read from the particular point in the stream, generating further generating the management information containing the first entry point and second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table and identification flag for the second entry point respectively **(Column 20 lines 12-38, column 19 lines 55-67 and column 20 lines 1-10).**

Regarding claims 12-15: the claims drawn to a computer-excitable, data recording program comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information indicating detection time of the change as a first entry point; recording the generated management information and the received stream to a data storage medium; and defining a second entry point which is set relative to playback path of the stream and is used to access and read from a particular point in the stream, generating further generating the management information containing the first entry point and the second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table and identification flag for the second entry point respectively.

Tsuga teaches a computer-excitable, data recording program comprising receiving a stream of encoded digital data; detecting a change in an attribute of the stream received by the receiver unit and outputting detecting information; generating management information indicating detection time of the change as a first entry point; recording the generated management information and the received stream to a data storage medium; and defining a second entry point which is set relative to playback path of the stream and is used to access and read from a particular point in the stream, generating further generating the management information containing the first entry point and the second entry point separately identified. Further management information includes a first table and identification flags for the first entry point, also second table

and identification flag for the second entry point respectively **(Column 20 lines 12-38, column 19 lines 55-67 and column 20 lines 1-10).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached on 571-272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle
Patent Examiner

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SUPERVISORY PATENT EXAMINER